IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.2094 OF 1992

M/s.Walchandnagar Industries Ltd.).. Petitioner

Versus

A.R.Shah and another).. Respondents

Mr.R.L. Nerlekar for the Petitioner.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 19TH AUGUST 2005

P.C.:

. This Petition can be disposed of in view of the fact that Respondent No.1 employee has been re-employed by the Petitioner from 1st January 1998 and he has retired on 31st March 2002. An affidavit of the Assistant General Manager (Personnel) of the Company has been filed in this Court annexing the undertaking given by Respondent No.1 when he secured re-employment. This undertaking was given at the time when he was re-employed on 1st January 1998. The undertaking states that Respondent No.1 employee has accepted re-employment and that he does not have any claim or will not claim any back wages.

2. In view of this, Petition disposed of. Rule discharged. The Petitioner will, however, treat Respondent No.1 in continuous service from the date he was initially appointed i.e. 21st September 1979 only for the purposes of payment of retiral benefits.